

UNITED NATIONS
General Assembly

FORTY-EIGHTH SESSION

Official Records

SIXTH COMMITTEE

31st meeting

held on

Wednesday, 17 November 1993

at 3 p.m.

New York

SUMMARY RECORD OF THE 31st MEETING

<u>Chairman:</u>	Mr. NEUHAUS (Vice-Chairman)	(Australia)
later:	Mrs. FLORES (Chairman)	(Uruguay)
later:	Mr. AL-SUWAIDI (Vice-Chairman)	(United Arab Emirates)

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Distr. GENERAL
A/C.6/48/SR.31
6 January 1994

ORIGINAL: ENGLISH

93-82468 (E)

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In the absence of Mrs. Flores (Uruguay), Mr. Neuhaus (Australia), Vice-Chairman, took the Chair.

The meeting was called to order at 3.45 p.m.

AGENDA ITEM 142: UNITED NATIONS DECADE OF INTERNATIONAL LAW (A/48/269, A/48/312, A/48/435 and A/C.6/48/L.9)

1. The CHAIRMAN drew attention to the following documents: the report of the Secretary-General on the implementation of the programme of activities for the United Nations Decade of International Law (A/48/312); the report of the Secretary-General on the protection of the environment in times of armed conflict (A/48/269); the report of the Secretary-General on a preliminary operational plan for a possible United Nations congress on public international law (A/48/435); and the report of the Working Group on the Decade (A/C.6/48/L.9).
2. Mr. ZACKLIN (Director and Deputy to the Under-Secretary-General, The Legal Counsel), introducing document A/48/312, said that it was divided into three sections. Section I was the introduction. Section II contained an analysis of the replies received from States and international organizations on the implementation of the programme for the activities for the second term (1993-1994) of the Decade. Replies were summarized under headings corresponding to the five main sections into which the programme was divided, as set out in the annex to General Assembly resolution 47/32.
3. Subsequent to the completion of the report, replies had been received from the Governments of Germany and Romania. Those replies could be consulted in the Codification Division of the Office of Legal Affairs.
4. The Secretary-General had received from the Swiss Government a letter transmitting the text of the Final Declaration of the International Conference for the Protection of War Victims, held at Geneva from 30 August to 1 September 1993. Copies of that Declaration in all languages could be obtained from the Secretariat.
5. Section III of the report provided additional information on recent activities of the United Nations relevant to the progressive development of international law and its codification in eight specific areas. The work of the International Law Commission and of the Committee was also summarized.
6. Mr. MOHAMMED (Nigeria), Chairman of the Working Group on the United Nations Decade on International Law, introducing document A/C.6/48/L.9, said that the Working Group had held six meetings, during which it had considered the three reports of the Secretary-General to which the Chairman had just referred. Each section of the Working Group's report dealt with one of those documents.
7. Mrs. Flores (Uruguay) took the Chair.
8. Mr. SANDOZ (International Committee of the Red Cross (ICRC)), introducing document A/48/269, said that it had been prepared pursuant to paragraph 4 of

(Mr. Sandoz)

General Assembly resolution 47/37, in which the Secretary-General had been requested to invite ICRC to report on its activities and those of other relevant bodies with regard to the protection of the environment in times of armed conflict and to submit a report on the matter to the Assembly at its forty-eighth session. The document set out the main conclusions of the work undertaken by experts under the auspices of ICRC and proposed, in the annex, draft guidelines to be included in military manuals.

9. As a rule, international humanitarian law prohibited the destruction of civilian objects, thus implying a general protection of the natural environment, which did not, a priori, constitute a military objective. Only in the Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I) of 1977, had that general prohibition been supplemented by two provisions specifically aimed at protecting the environment, namely, article 35, paragraph 3, and article 55, which prohibited attacks against the environment as such and the use of the environment as a means of warfare. Protocol I also contained a number of other provisions that were particularly important in that connection, such as article 36, regulating the use of new weapons; article 52, providing for the general protection of civilian objects; article 54, providing for the protection of objects indispensable to the survival of the civilian population; article 56, dealing with the protection of works and installations containing dangerous forces; and article 57, specifying the precautions to be taken in the event of attack.

10. Currently, 130 States were bound by Protocol I; however, it would be highly desirable for all States to sign the treaty, so that there would be no doubt as to the universal applicability of its provisions.

11. The role and importance of other international treaties, such as those restricting or prohibiting the production, stockpiling or use of certain weapons, and the Convention on the Prohibition of Military or any Other Hostile Use of Environmental Modification Techniques (the ENMOD Convention), should also be borne in mind.

12. Although the body of law applicable to non-international armed conflicts did not contain any provisions specifically referring to the protection of the environment, the experts had stressed that articles 14 and 15 of Protocol II of 1977 had a direct bearing on the subject.

13. The experts had also highlighted the key role played by mechanisms for the implementation of international humanitarian law. Emphasis should be placed, in particular, on the responsibility of States deriving from their general obligation to respect and ensure respect for international humanitarian law, on the duty to disseminate knowledge of that law, and to put an end to violations and repress grave breaches thereof, and on the role that should be played by the recently created International Fact-finding Commission.

14. In that context, the report proposed draft guidelines to be included in military manuals. Such manuals were a decisive factor in translating

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(Mr. Sandoz)

international obligations into practical instructions for those who were required to respect them, namely, commanders of military units and their chiefs of staff.

15. ICRC noted with satisfaction the Working Group's favourable response to its proposals, and was prepared to review the draft guidelines, taking into account the comments made by States. It intended to convene a meeting with governmental experts in order to discuss the elements to be included in all military manuals.

16. ICRC hoped that the other questions raised in the report would be examined in the appropriate forums and, in particular, that discussion would continue with a view to enhancing the protection of the environment in non-international armed conflicts and preventing the indiscriminate use of mines in all situations of armed conflict.

17. Mr. DEREYMAEKER (Belgium), speaking on behalf of the European Union, said it was clear from document A/48/312 that the programme for the activities for the second term (1993-1994) of the Decade had provided food for thought regarding specific ways of strengthening the role of international law in the years to come. He drew attention to paragraphs 46, 69, 79 and 102 of the report, which indicated the variety of activities undertaken under the auspices of the European Community.

18. The European Union welcomed the broad exchange of views in the Working Group on the various topics mentioned in document A/48/269. Despite occasional differences of opinion, it was clear that all delegations agreed on the importance of protecting the environment in times of armed conflict.

19. Paragraphs 104 to 108 of the report, reflecting the views of ICRC, showed that it had adopted a balanced approach. As stated in paragraph 104, ICRC had reservations about proposals for a new process of codification of the rules protecting the environment in times of armed conflict, believing that the result would be of dubious value and could even be counter-productive. Moreover, ICRC believed that, if several aspects of the existing law were elaborated on and if the law were more fully implemented, it would provide adequate protection of the environment in times of armed conflict. The European Union shared that view and believed that special attention should also be given to the need to spread knowledge of the existing rules. Military manuals must contain clear instructions regarding the obligations of the armed forces to protect the environment. In that connection, the European Union welcomed the draft guidelines prepared by ICRC and believed that they should be circulated immediately to Governments so that their comments could be forwarded to ICRC.

20. Turning to the question of a possible United Nations congress on public international law, he said that the European Community had welcomed the proposal when it had first been made at the Assembly's previous session. Currently, the European Union endorsed the recommendation contained in paragraph 35 of document A/C.6/48/L.9 that the congress should be held in 1995 as proposed and that the Secretariat should proceed with its preparation and should keep Member States informed of the status of the preparations.

(Mr. Dereymaeker, Belgium)

21. The European Union believed that individuals from all countries who were concerned with the objectives of the Decade should have the opportunity to participate in the congress in a meaningful way. In keeping with its informal character, the congress should not lead to the adoption of a binding document. The Office of Legal Affairs, which was responsible for all issues relating to participation in and admission to the congress, the choice of speakers and of topics, and so on, should maintain informal contact with the Permanent Missions of Member States and should keep them informed of the status of the preparations for the congress. Lastly, as noted in paragraph 34 of document A/C.6/48/L.9, all delegations had emphasized that the congress should be held within existing resources and should be assisted by voluntary contributions.

22. Mr. VOICU (Romania) said that he applauded the efforts of the Working Group on the United Nations Decade of International Law, which would give impetus to future activities of the Decade.

23. In 1993, the Secretary-General had invited Governments and the bodies and organizations concerned to submit information on the implementation of the programme of activities for 1992-1993 within the framework of the United Nations Decade of International Law. Those replies had demonstrated the extent of the international community's interest in the Decade and in international law in general.

24. His own country, which was already a party to a large number of multilateral treaties at both the regional and international levels, had recently become a party to other instruments in the fields of human rights, international criminal law and environmental protection. In so doing, it had achieved two aims: incorporating the norms of international law into its national legislation and promoting the acceptance of and respect for the principles of international law, one of the main purposes of the Decade. That purpose was enshrined in his country's new constitution, which also provided for the primacy of international law over domestic law.

25. A second purpose of the Decade was to promote means and methods for the peaceful settlement of disputes between States, a matter to which his country attached great importance. In that connection, his Government had participated in the elaboration of the convention on conciliation and arbitration; it also planned to give thorough consideration to the proposals contained in "An Agenda for Peace" and was considering the possibility of publishing a Romanian version of the Handbook on the Peaceful Settlement of Disputes between States.

26. In a world shaken by conflict, it was more important than ever to strengthen international law. In that context, particular attention needed to be paid during the Decade of International Law to the elaboration of international norms in the field of environmental protection and the gradual development of international humanitarian law. His Government had been active in giving practical form to the principles of international humanitarian law. Its foreign policy was based in part on the principles set forth in the 1949 Geneva Conventions and the Additional Protocols thereto, to which his country was party. At the recent International Conference for the Protection of War Victims, his Government had emphasized the need to strengthen the international

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(Mr. Voicu, Romania)

mechanisms for preventing war crimes and to elaborate an international legal system under which war crimes would be punished. His country had taken other steps to promote international humanitarian law, including measures to strengthen European and subregional integration and to facilitate participation in collective conflict-reduction efforts; speeding up its legal procedures for the acceptance of the International Fact-finding Commission; and disseminating the principles of international humanitarian law. In addition, his Government had established a centre for international humanitarian law, which provided education and coordinated local and subregional activities in that field. The Romanian Association for Humanitarian Law was also actively engaged in promoting activities in that area.

27. His country had been making active efforts to encourage the teaching, study, dissemination and wider appreciation of international law. It had recently published two new handbooks on international law and a book on international space law. More than 20 universities and private institutes in Romania offered courses in international law, and many of the 1993 law graduates in Romania had chosen their thesis subjects in that area. "An Agenda for Peace" had been published in Romanian and had been the subject of public debate. Two research institutes in his country were carrying out and publishing research in the field of international law, organizing seminars and publishing books and periodicals on human rights issues. Romania had also strengthened the cooperation between its law schools and those in other European countries.

28. His Government had created a national committee for the United Nations Decade of International Law and hoped that other countries would do the same. It was in favour of convening a United Nations congress on public international law, which should take place early in 1995 so that it would not be overshadowed by the celebration of the fiftieth anniversary of the United Nations. Among the themes proposed for the congress was means of peaceful settlement of disputes between States, including resort to and full respect for the International Court of Justice. In that connection, he recalled that in its decision 45/412 of 28 November 1990, the General Assembly had decided that the peaceful settlement of disputes between States should be considered within the framework of the programme of the United Nations Decade of International Law and by the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization. He hoped that both those forums would have given thorough consideration to the issue before the convening of the congress, so that the participants would have a solid base on which to begin their discussions. The congress would most certainly give new impetus to the study of international law and new vigour to its doctrine.

29. Mr. Al-Suwaidi (United Arab Emirates), Vice-Chairman, took the Chair.

30. Mr. XU Guangqian (China) said that the first year of the second term of the United Nations Decade of International Law had begun well; he was confident that the main purposes of the Decade could be achieved. While there seemed to be general agreement that a United Nations congress on public international law should be convened, certain differences remained with regard to the details of organizing such a meeting. A satisfactory solution could certainly be found through mutual effort and understanding.

(Mr. Xu Guangqian, China)

31. The congress should be convened at a time that would be convenient for the United Nations and its Member States. China was willing to discuss that matter with other interested delegations with a view to harmonizing the needs of all concerned. More time was needed to select the themes for the congress, since consensus on that matter had not yet been reached. A sound agenda was essential to the success of the congress.

32. His Government had always attached great importance to the activities of the United Nations Decade of International Law and would continue to work actively to promote its goals. It hoped that the Decade would result in a tangible strengthening of the rule of international law, world peace and security.

33. Mr. ZHEEVSKY (Russian Federation) said that international law was helping to consolidate the shift in international relations from confrontation to cooperation and the United Nations had a key role to play in that connection. It was important, therefore, to continue efforts to implement the programme for the activities for the second term (1993-1994) of the United Nations Decade of International Law, so as to make a genuine contribution to the international legal order. In the near future the most important event would be the United Nations congress on public international law to be held in 1995, which would provide an excellent opportunity to review developments in the field of international law and look to the future of international legal cooperation on the eve of the twenty-first century. The general themes to be discussed by the congress should be based on connections between the achievements of the past, contemporary international legal developments and directions for the future. His delegation welcomed proposals that the congress should concentrate on topics such as the application, promotion and further development of the means of peaceful settlement of disputes, including the development of the legal framework for peace-keeping operations. In the context of the defence of peace the establishment of an international criminal jurisdiction had major practical implications and a first step had been taken in that direction with the establishment of the tribunal to deal with the former Yugoslavia. The congress should also discuss the protection of the environment through international legal measures.

34. Armed conflicts posed the greatest threats to the peaceful and stable development of the international community and his delegation therefore endorsed the proposal that the congress should discuss the promotion of the role of international humanitarian law in times of armed conflict. That proposal coincided with the Final Declaration of the International Conference for the Protection of War Victims, held at Geneva from 30 August to 1 September 1993, in which the participating States had declared their willingness to act together with the United Nations in order to ensure full observance of international humanitarian law. A possible contribution the United Nations could make in that field would be to review the question of the legal protection of victims of armed conflict in the Sixth Committee, and more particularly within the framework of the Working Group on the United Nations Decade of International Law. It was important that that work should be as practical as possible.

(Mr. Zmeevsky, Russian Federation)

35. Movement in that direction had already begun with, for example, the work on the guidelines for military manuals and instructions on the protection of the environment in times of armed conflict. Of course, there should be no duplication of work already being carried out by other international organizations on questions of humanitarian law. It was vital, however, that the United Nations and above all the Sixth Committee should be aware of the latest developments in the promotion of the role of law in the protection of victims of armed conflicts. In that connection it would be logical if the General Assembly expressed its support, in an appropriate resolution, of the decisions taken at the Conference.

36. The United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law was an important component of the programme for the Decade and deserved support.

37. The most practical outcome with regard to the Decade could be achieved at the national level, and that was reflected in the Secretary-General's report on the Decade (A/48/312). For the Russian Federation, reliance on the legal factor would be the best way to stabilize the development of Russian society and its progress on the path to democracy, economic reform and the construction of a State subject to the rule of law. The basic outlines of international law had been taken into account in drawing up the draft constitution of the Russian Federation, which would be put to a referendum in December 1993. The adoption of a basic law for the country would give an additional impetus to the process of strengthening the role of law in the defence of democracy, human rights and the transition to a market economy. The State, academic institutions and non-governmental organizations were engaged in the teaching of international law and the training of legal specialists, which was of great significance in opening up society and integration of the Russian Federation into the international community. Russian business was keenly interested in international legal practice.

38. One of his country's priorities was to establish transparent international legal relations with the States arising on the territory of the former Soviet Union, as testified to by the signing on 24 September 1993 of the Agreement on Urgent Measures for the Protection of Victims of Armed Conflicts, which made the decisions of the International Conference for the Protection of War Victims a reality. Proposals for a programme of internal measures to implement the Final Declaration of that Conference were being developed and a course on humanitarian law for workers from the Ministry of Defence of the Russian Federation had been held in Moscow in early November 1993 in cooperation with ICRC. At the beginning of December 1993 in St. Petersburg, again with the participation of ICRC and a wide range of countries, a celebration had been planned for the 125th anniversary of the St. Petersburg Declaration. His Government considered that that would contribute to the promotion of international law and hence to the realization of the main purposes of the United Nations Decade for International Law.

39. In view of the scale of the tasks set by the programme for the Decade, his delegation considered that the Sixth Committee's Working Group on the subject should be maintained as a coordinating body.

40. Mrs. TSONEVA (Bulgaria) expressed appreciation to ICRC for its work in the area of protection of the environment in times of armed conflict.

41. Her Government favoured the convening of a United Nations congress on public international law. The general themes proposed were well chosen and would help to promote international law and encourage its dissemination. Her delegation had proposed another theme which reflected current trends: international law as it related to the use of sanctions authorized by the United Nations. In her country's view, the congress should take place in 1995, one week after the session of the Special Committee on the Charter, which would permit countries to send a greater number of delegates. Representation at the congress should be based, in so far as possible, on equitable geographical distribution in terms of regions and legal systems. That was the only way to guarantee the success of the undertaking. The financing of the congress was, of course, the key to the entire operation and should come from existing resources.

42. The report of the Secretary-General on protection of the environment in times of armed conflict (A/48/269) expanded on a theme already considered by the Sixth Committee. Regional conflicts were bringing the issue to the fore once again. Despite the existence of several instruments on international humanitarian law, there was a need to re-examine the legal aspects of the problem and, in that connection, the recommendations of Governments should be borne in mind. The guidelines for military manuals and instructions on the protection of the environment in times of armed conflict, contained in the annex to document A/48/269, should naturally be reviewed by military experts; however, the legal aspects were a matter for the Sixth Committee.

43. Her Government was certain that the United Nations Decade of International Law would be a great step forward in strengthening international law and restructuring the United Nations.

44. Mrs. Flores (Uruguay) resumed the Chair.

45. Mr. BALANDA (Zaire) said that the various documents relating to the United Nations Decade of International Law demonstrated the enthusiasm with which States and the bodies and organizations concerned had embraced the activities of the Decade.

46. The international community should take advantage of the Decade to carry out an in-depth study of certain priority issues, with a view to improving the international legal environment. Careful studies should be made, for example, of those principles of international law which States were more reluctant to observe, attitudes towards the International Court of Justice, and the main causes of international disputes. The Decade offered an opportunity to rethink both the nature and the methods of international law, without forgetting its purpose. The task was particularly important in view of the many changes that had taken place in the world and the new expectations and needs which had to be taken into account. If international law was to be widely accepted and hence, easily applied in the twenty-first century, special emphasis must be placed on consensus and on avoiding the imposition of international law on any particular group of States. Thus, the process of further developing international law

(Mr. Balanda, Zaire)

would be a rather slow one, inasmuch as all parties concerned would have to learn to listen to each other and to take each other's interests into account before any decisions could be made.

47. It was important to understand the attitude of most of the States which had formerly been colonies and which, in many cases, had played no part in the development of international law. Many of the existing provisions did not adequately take into account the interests of those States and therefore did not provide the security which law was supposed to offer a community.

48. Special attention should also be given to the study and analysis of the main causes of disputes between States. Before that could be done, however, the United Nations, which had been created in the aftermath of two world wars, must develop a genuine system and a new dynamic of peace. The hit-and-miss manner in which the international community had dealt with the conflicts in Somalia and Angola attested to the need for such a system. One of the main causes of disputes between States was the selfishness of States, which led them to put their own interests above those of other States, and to resort to unethical behaviour, at both the domestic and the international levels. Under the new world order, national leaders should be made more aware of the need for morality and ethics in international relations.

49. Turning to the question of international treaties and conventions, he stressed the need gradually to reduce the use of reservations, which, although allowed under the Vienna Convention on the Law of Treaties, interfered with the application of treaties. In many cases, States made reservations because certain provisions of the treaty in question were incompatible with their domestic law. Consideration should therefore be given to the possibility of developing a set of model rules in the area of public international law, similar to the model rules developed by UNCITRAL in the area of trade law. Such rules would help to reduce the disparities among national legislations, and thus would also reduce the number of cases in which States found reservations necessary.

50. Another area of international law which needed clarification was that of the ways and means of consolidating democracy and promoting comprehensive development. Much had already been done to promote human rights; such efforts, of course, also promoted democracy. In that regard, special mention should be made of the work done by the specialized agencies of the United Nations in promoting development in Africa, Asia and Latin America. Unfortunately, however, there was no consistent body of rules designed to help States move rapidly towards a higher level of democracy or development. If such rules had existed from the beginning of the Organization, the world probably would not have witnessed the emergence of totalitarian States which were the antithesis of democracy and prevented human development. The situations in Haiti, in Burundi and in Somalia and the improvisation that was evident in the response of the international community illustrated the absence of rules of international law for the protection of democracy. That legal vacuum had created a situation of disorder which, if aggravated, could lead to imbalances that would threaten international peace and security. Thus, the existence of disputes between States provided sufficient justification for the study and promotion of international humanitarian law.

(Mr. Balanda, Zaire)

51. Another issue which should be considered was that of international environmental law. The United Nations Environment Programme and ICRC had already made contributions in that field. Zaire had played an active role in the formulation of the World Charter for Nature, an instrument which had unfortunately been largely neglected. The international community must be made more aware of the need for a body of law that would protect the environment.

52. Mr. BISSEMBER (Guyana) said he was pleased to announce that on 16 November 1993 Guyana had deposited its instruments of ratification of the United Nations Convention on the Law of the Sea. Since his country was the sixtieth country to ratify the Convention, it would enter into force on 16 November 1994. His Government was pleased to have ratified the convention during the United Nations Decade of International Law and hoped that the ratification would be considered a contribution to the enhancement of treaty law.

53. Mr. SEGER (Observer for Switzerland) welcomed the report of the Secretary-General on the protection of the environment in times of armed conflict (A/48/269) which was essentially based on the work of the group of experts brought together by ICRC. They had identified priorities for future action with which his delegation agreed, but it also considered it to be a priority for the protection of the environment in non-international armed conflicts to be examined more thoroughly. The aim of the group of experts should be to establish a legal overview of the current state of the protection of the environment in times of armed conflict and to present practical and specific solutions in order to plug loopholes, using existing law and mechanisms.

54. First steps had already been taken in that direction and his Government supported the idea of mandating the International Fact-finding Commission established under article 90 of Protocol I to the 1949 Geneva Convention to monitor observance of international law in that field. It also welcomed the idea of drawing up guidelines for military manuals and instructions on the protection of the environment in times of armed conflict. However, the initial draft, contained in the annex to the Secretary-General's report, should be clarified on a number of points, for instance by drawing a clearer distinction between international customary law and treaty law. The guidelines should also be reworded so that it would be clear that they were intended for armed forces, as some of the recommendations seemed to be addressed more to political bodies than to military instructors.

55. His Government had noted with satisfaction the interesting and constructive debate in the Working Group on the United Nations Decade of International Law on the protection of the environment in times of armed conflict. Lastly, he wished to reconfirm the importance his Government accorded to the protection of the environment in times of armed conflict as a significant component of international humanitarian law and it was to be hoped that the ICRC group of experts would soon be able to produce a definitive text of the guidelines for military manuals.

56. Switzerland and ICRC had organized the International Conference for the Protection of War Victims which had been held in Geneva from 30 August to

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(Mr. Seger, Observer, Switzerland)

1 September 1993. The aim of the Conference had been to improve that protection and to urge the implementation of international humanitarian law, which was being violated all too frequently.

57. The Conference had resulted in a solemn Final Declaration, adopted by the participating States on 1 September 1993. The Declaration was essentially divided into two parts. In part I, the participants expressed their refusal to accept the spread of violence and hatred throughout the world, denounced serious and multiple violations of international humanitarian law - which was intended to protect civilian populations and limit the suffering caused by war - and undertook to react against those violations with specific measures. In part II, the participants affirmed their responsibility to respect and ensure respect for international humanitarian law. They then urged all States to take all necessary measures, in particular the systematic dissemination of those legal norms, particularly to the armed forces, accession to relevant international agreements, recognition of the competence of the International Fact-finding Commission, condemnation of grave breaches of international humanitarian law and encouragement of the establishment of appropriate international machinery, improvement of coordination of international aid, promotion of respect for the emblems of the Red Cross and Red Crescent, strengthening of the prohibition on attacks on the environment and the use of anti-personnel mines, and the exertion of pressure on parties to conflicts guilty of violating international humanitarian law. The Declaration was to be issued as an official United Nations document.

58. Switzerland accepted the mandate to organize an intergovernmental group of experts, open to the participation of all States, to look into practical ways of promoting full respect for international humanitarian law. It would also prepare a report for States and for the forthcoming International Conference of the Red Cross and Red Crescent.

59. Mr. JONKMAN (Observer for the Permanent Court of Arbitration), recalling that the General Assembly had recently granted observer status to the Permanent Court, said that he wished to express the Court's appreciation to all States Members of the United Nations for their decision in that regard. He was particularly grateful to the Netherlands delegation and the other delegations that had sponsored the relevant draft resolution, as well as to the Belgian delegation for having spoken in support of it on behalf of the European Community. The creation of the institutional link between the United Nations and the Permanent Court would enable the International Bureau of the Court to keep the members of the United Nations currently and fully informed of the Court's facilities and services. Perhaps more importantly, the Bureau, through regular attendance at meetings of the Sixth Committee, would become aware of a range of views on international dispute settlement that would enable it to maintain services that would be as responsive as possible to the needs of member States.

60. The process improving the Court's functioning had steadily continued. Two new sets of procedural rules had been established, one for arbitrating disputes between States and the other for arbitrating disputes between parties of which only one was a State. Both sets of procedural rules were based on the widely

(Mr. Jonkman)

used arbitration rules drawn up by UNCITRAL. During the past 10 years, arbitration seemed to have lost its image as the most speedy and relatively cost-effective method for resolving international disputes. Procedural and administrative uncertainties and sharply enhanced costs were among the factors that had encouraged parties to have recourse to alternative methods. By making available the new sets of procedural rules and providing the Bureau's administrative support at minimum cost, the Permanent Court was working towards restoring the cost-effectiveness of the arbitral process.

61. The International Bureau had recently convened a conference of the members of the Court, which had taken place on 10 and 11 September 1993 at The Hague. The aim of the Conference had been to elicit views and suggestions for the enhancement of the Court's role and to discuss the preparation of a possible third Hague peace conference to be held in 1999, the centenary of the Permanent Court. The conference had adopted two resolutions. In the first, the members inter alia had noted with satisfaction the initiative taken to seek observer status in the General Assembly, and had invited the Administrative Council to pay due attention to the further development of relations with the United Nations, taking into account the fact that the Court was the only institution authorized by multilateral agreement to organize four of the third-party settlement methods listed in Article 33 of the Charter of the United Nations. Other important recommendations concerned recourse to the Permanent Court for the settlement of international disputes, the establishment of a fund from which qualified States would be able to draw in order to offset costs incurred in connection with the submission of a dispute for settlement under the auspices of the Permanent Court, and continued active participation by the Secretary-General of the Court in the programme of the United Nations Decade of International Law. In its second resolution, the Conference had stressed the need for adequate preparation of the proposed third international peace conference at the end of the United Nations Decade of International Law, and had invited the Administrative Council to authorize the Secretary-General of the Permanent Court of Arbitration to appoint a broadly based Steering Committee to make recommendations as to whether to revise the Hague Conventions for the Pacific Settlement of International Disputes and whether to improve the dispute settlement procedures under the auspices of the Court.

62. In the course of 1992 and 1993, four countries - Jordan, Suriname, Singapore and Cyprus - had become parties to the Hague Convention of 1907 and three other countries - Kyrgyzstan, the Czech Republic and Slovakia - had announced their continued adherence to the Hague Conventions following the dissolution of the States of which they had earlier formed part. The International Bureau would like to express the hope that the States Members of the United Nations which were not yet participating in the activities of the Permanent Court of Arbitration would give early consideration to acceding to the Hague Convention of 1907.

The meeting rose at 5.40 p.m.